



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

SEP 25 2006

400 Seventh St., S.W.
Washington, D.C. 20590

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Bruce Bailey
Chief Engineer
Lippert Components, Inc.
2703 College Avenue
Goshen, Indiana 46528

PE06-036 through 040
NVS-214gtb

Subject: Wheel Separations / Axle Breakage

Dear Mr. Bailey,

This letter is to inform you that the Office of Defects Investigation (ODI) of the National Highway Traffic Safety Administration (NHTSA) opened the following Preliminary Evaluations at each of the below-listed manufacturers to investigate wheel separations and/or axle breakage.

Mfr	PE	Date PE Opened
Starcraft RV	06-036	9/7/06
Fleetwood	06-037	9/11/06
Sunnybrook	06-038	9/11/06
Crossroads	06-039	9/11/06
Dutchmen	06-040	9/12/06

Note that although ODI is primarily concerned about wheel separations that have occurred due to axle cracking, breaking, and/or fracturing, this inquiry also addresses wheel separations that may have been occurred due to other causes.

In order for my staff to evaluate this issue, ODI is requesting Lippert Components, Inc. to provide the following:

- (1) Prompt notification to ODI of all newly-reported incidents of wheel separations including, but not limited to axle cracking, breaking, or fracturing that are reported to Lippert Components; and

(2) Responses to certain information.

(1) Newly Reported Incidents-

On August 29, 2006, ODI requested that Lippert Components notify ODI promptly of all newly reported incidents of cracked, broken, or fractured axles, whether or not the incident resulted in a complete wheel separation, that have been reported to Lippert Components since September 1, 2006.

Note that ODI is amending this request to include all wheel separation incidents that are reported to Lippert after September 25, 2007 regardless of suspected cause.

ODI requests Lippert Components to notify ODI within 48 hours when Lippert Components learns of (1) any wheel separation and/or (2) any incident of a cracked, broken, or fractured axle, whether or not confirmed and regardless of the vehicle age and/or suspected cause.

This request is ongoing and terminates on December 31, 2006, but may be extended if circumstances warrant.

Each notification should, at a minimum, provide the information listed in the table that ODI provided to Lippert Components by e-mail on August 29, 2006. Lippert Components should report incidents by e-mail to **tom.bowman@dot.gov** (phone 202-366-2583). The notification should provide as much of the requested information as possible. Timeliness is critical. Any of the requested information that is not available at the time of the initial incident notification must be provided as soon as it becomes available.

(2) Information Requested -

Unless otherwise stated in the text, the following definitions apply to these information requests:

- **Subject Vehicles:** all vehicles equipped with trailer axle assemblies, including sub-components and attachments, manufactured by Lippert Components, Inc. since January 1, 2005, to date, and sold or leased in the United States.
- **Subject Components:** all trailer axle assemblies, including sub-components and attachments, manufactured by Lippert Components, Inc.

since January 1, 2005, to date, and sold or leased in the United States.

- **Lippert Components, Inc. ("Lippert Components")**: all of its past and present officers and employees, whether assigned to its principal offices or any of its field or other locations, including all of its divisions, subsidiaries (whether or not incorporated) and affiliated enterprises and all of their headquarters, regional, zone and other offices and their employees, and all agents, contractors, consultants, attorneys and law firms and other persons engaged directly or indirectly (e.g., employee to a consultant) by or under the control of Lippert Components (including all business units and persons previously referred to), who are or, in or after 2005 were involved in any way with any of the following related to the alleged defect in the subject vehicles:
 - a. Design, engineering, analysis, modification or production (e.g. quality control);
 - b. Testing, assessment or evaluation;
 - c. Consideration, or recognition of potential or actual defects, reporting, record-keeping and information management, (e.g., complaints, field reports, warranty information, part sales), analysis, claims, or lawsuits;
 - d. Communication to, from, or intended for zone representatives, fleets, dealers, or other field locations, including but not limited to people who have the capacity to obtain information from dealers; or
 - e. Management of any litigation involving Lippert Components' products that relate to the alleged defect.
- **Alleged defects**: (1) Any wheel separation due to any cause and (2) any cracking, breaking, and/or fracturing of the axle assembly.
- **Document**: "Document(s)" is used in the broadest sense of the word and shall mean all original written, printed, typed, recorded, or graphic matter whatsoever, however produced or reproduced, of every kind, nature, and description, and all non-identical copies of both sides thereof, including, but not limited to, papers, letters, memoranda, correspondence, communications, electronic mail (e-mail) messages (existing in hard copy and/or in electronic storage), faxes, mailgrams, telegrams, cables, telex messages, notes, annotations, working papers, drafts, minutes, records, audio and video recordings, data, databases, other information bases, summaries, charts, tables, graphics, other visual displays, photographs, statements, interviews, opinions, reports, newspaper articles, studies, analyses, evaluations, interpretations, contracts, agreements, jottings, agendas, bulletins, notices, announcements, instructions, blueprints,

drawings, as-builts, changes, manuals, publications, work schedules, journals, statistical data, desk, portable and computer calendars, appointment books, diaries, travel reports, lists, tabulations, computer printouts, data processing program libraries, data processing inputs and outputs, microfilms, microfiches, statements for services, resolutions, financial statements, governmental records, business records, personnel records, work orders, pleadings, discovery in any form, affidavits, motions, responses to discovery, all transcripts, administrative filings and all mechanical, magnetic, photographic and electronic records or recordings of any kind, including any storage media associated with computers, including, but not limited to, information on hard drives, floppy disks, backup tapes, and zip drives, electronic communications, including but not limited to, the Internet and shall include any drafts or revisions pertaining to any of the foregoing, all other things similar to any of the foregoing, however denominated by Lippert Components, any other data compilations from which information can be obtained, translated if necessary, into a usable form and any other documents. For purposes of this request, any document which contains any note, comment, addition, deletion, insertion, annotation, or otherwise comprises a non-identical copy of another document shall be treated as a separate document subject to production. In all cases where original and any non-identical copies are not available, "document(s)" also means any identical copies of the original and all non-identical copies thereof. Any document, record, graph, chart, film or photograph originally produced in color must be provided in color. Furnish all documents whether verified by the manufacturer or not. If a document is not in the English language, provide both the original document and an English translation of the document.

- **Other Terms:** To the extent that they are used in these information requests, the terms "claim," "consumer complaint," "dealer field report," "field report," "fire," "fleet," "good will," "make," "model," "model year," "notice," "property damage," "property damage claim," "rollover," "type," "warranty," "warranty adjustment," and "warranty claim," whether used in singular or in plural form, have the same meaning as found in 49 CFR 579.4.

In order for my staff to evaluate the alleged defect, certain information is required.

Pursuant to 49 U.S.C. § 30166, please provide numbered responses to the following information requests. When documents are produced, the documents shall be produced in an identified, organized manner that corresponds with the organization of this information request letter (including all individual requests and subparts).

When documents are produced and the documents would not, standing alone, be self-explanatory, the production of documents shall be supplemented and accompanied by explanation.

Please repeat the applicable request verbatim above each response.

After Lippert Component' response to each request, identify the source of the information and indicate the last date the information was gathered.

To the extent possible, provide the requested information in Microsoft Excel 2003 electronic format.

1. Provide a table that identifies the number of subject components (trailer axle assemblies) that Lippert Components has manufactured for sale or lease in the United States by (a) purchaser; (b) by axle model, specification, and/or series; and (c) by month of production since January 1, 2005.

Provide the table in Microsoft Excel 2003, or a compatible format, entitled "PE06-036 - 040, Request Number One - Axle Production, Lippert Components."

2. State the number of each of the following, received by Lippert Components, or of which Lippert Components is otherwise aware, which relate to, or may relate to, the alleged defects in the subject vehicles:
 - a) Consumer complaints, including those from fleet operators;
 - b) Field reports, including dealer field reports;
 - c) Reports involving an injury or a fatality, based on claims against the manufacturer involving a death or injury, notices received by the manufacturer alleging or proving that a death or injury was caused by a possible defect in a subject vehicle, property damage claims, consumer complaints, or field reports;
 - d) Property damage claims;
 - e) Third-party arbitration proceedings where Lippert Components is or was a party to the arbitration; and,
 - f) Lawsuits, both pending and closed, in which Lippert Components is or was a party.

For subparts "a" through "d," state the total number of each item (e.g., consumer complaints, field reports, etc.) separately. Multiple reports of the same incident are to be counted separately (i.e., a consumer complaint and a

field report involving the same incident are to be counted as a field report and a consumer complaint, etc.).

In addition, for items "c" through "f," provide a summary description of the alleged problem and causal and contributing factors and Lippert Components' assessment of the problem, with a summary of the significant underlying facts and evidence.

For items "e" and "f," identify the parties to the action, as well as the caption, court, docket number, and date on which the complaint or other document initiating the action was filed.

Provide the table in Microsoft Excel 2003, or a compatible format, entitled "PE06-036 – 040 Request Number Two – Complaint Summary Information, Lippert Components."

3. Separately, for each item (complaint, report, claim, notice, or matter) identified in response to Request No. 2 above, state the following information:
 - a) Lippert Components' file number or other identifier used;
 - b) The VIN of the vehicle equipped with the affected Lippert axle assembly;
 - c) The make, model, and model year of the vehicle equipped with the affected Lippert axle assembly;
 - d) The date that the Lippert axle assembly was manufactured;
 - e) The category of the item, as identified in Request No. 2 (i.e., consumer complaint, field report, etc.);
 - f) The individual or fleet owner's name, address, and telephone number;
 - g) The model, specification, and/or series model of the affected axle assembly;
 - h) The serial number of the affected axle assembly;
 - i) The date of the incident;
 - j) The date of the report or claim;
 - k) A description on the incident (e.g. whether the wheel completely or partially separated);
 - l) A description of the probable cause (e.g. whether the axle had completely or partially fractured or whether some other cause is suspected or alleged. If the separation was due to a cause other than the axle fracturing, provide a description of the probable cause);
 - m) Whether property damage is alleged;
 - n) Number of alleged injuries, if any;
 - o) Number of alleged fatalities, if any; and

- p) The disposition of the affected axle assembly or assemblies or related components (e.g. "no problem found," repaired in the field, returned to supplier for analysis, examined by Lippert Components' representatives, scrapped in the field, etc.)

Provide the table in Microsoft Excel 2003, or a compatible format, entitled "PE06-036 – 040 Request Number Three – Complaint Details, Lippert Components."

4. State, by model and model year or calendar year, a total count for all of the following categories of claims, collectively, that have been paid by Lippert Components to date that relate to, or may relate to, the alleged defect in the subject components identified in response to Request No. 1: warranty claims; extended warranty claims; claims for good will services that were provided; field, zone, or similar adjustments and reimbursements; warranty claims or repairs made in accordance with a procedure specified in a technical service bulletin or customer satisfaction campaign; and pre-delivery failures^(*).

(*) Lippert Components' response to Request No. 4 should include all incidents of the alleged defect that have occurred prior to sale to the consumer (i.e. during vehicle assembly, in transit to selling dealer, at dealer's location, etc.).

Separately, for each such claim, state the following information:

- a) Lippert Components' claim number;
- b) The VIN of the vehicle equipped with the affected Lippert axle assembly;
- c) The make, model, and model year of the vehicle equipped with the affected Lippert axle assembly;
- d) The date that the Lippert axle assembly was manufactured;
- e) The individual or fleet owner's name, address, and telephone number;
- f) The model, specification, and/or series model of the affected axle assembly;
- g) The serial number of the affected axle assembly;
- h) The date of the incident;
- i) The date of the report or claim;
- j) A description on the incident (e.g. whether the wheel completely or partially separated);
- k) A description of the probable cause (e.g. whether the axle had completely or partially fractured or whether some other cause is

suspected or alleged. If the separation was due to a cause other than the axle fracturing, provide a description of the probable cause);

- l) Whether property damage is alleged;
- m) Number of alleged injuries, if any;
- n) Number of alleged fatalities, if any; and
- o) The disposition of the affected axle assembly or assemblies or related components (e.g. "no problem found," repaired in the field, returned to supplier for analysis, examined by Lippert Components' representatives, scrapped in the field, etc.)

Provide the table in Microsoft Excel 2003, or a compatible format, entitled "PE06-036 – 040 Request Number Five – Warranty and Pre-delivery Performance Information, Lippert Components."

6. Describe in detail the search criteria used by Lippert Components to identify the claims identified in response to Request No. 5, including the labor operations, problem codes, part numbers and any other pertinent parameters used. Provide a list of all labor operations, labor operation descriptions, problem codes, and problem code descriptions applicable to the alleged defect in the subject vehicles.
7. Describe the normal warranty coverage terms that Lippert Components provided for the subject components.
8. Describe any extended warranty coverage option(s) that Lippert Components offered for the subject components and state by option, model, and model year, the number of components that are covered under each such extended warranty.
9. Describe all assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations (collectively, "actions"), including, but not limited to, pre-productions tests, that relate to, or may relate to, the alleged defect in any axle assemblies installed in vehicles identified in response to Request No. 1 that have been conducted, are being conducted, are planned, or are being planned by, or for, Lippert Components, its suppliers, customers, dealers, and/or its representatives or agents. For each such action, provide the following information:
 - (a) Action title or identifier;
 - (b) The actual or planned start date;
 - (c) The actual or expected end date;
 - (d) Brief summary of the subject and objective of the action;

- (e) Engineering group(s)/supplier(s) responsible for planning and for conducting the action; and
- (f) A summary of the actions, assessments, analyses, tests, test results, studies, surveys, simulations, investigations, inquiries and/or evaluations and/or conclusions resulting from the action.

Provide this information in Microsoft Access 2003, Excel 2003, Word 2003 or a compatible format, entitled "PE06-036 – 040 Request Number Nine – Lippert Components Product Investigations/Evaluations."

10. Furnish Lippert Components' assessment of the alleged defect in the subject vehicles, including:
 - (a) The causal or contributory factor(s);
 - (b) The failure mechanism(s);
 - (c) The failure mode(s);
 - (d) The risk to motor vehicle safety posed by the alleged defect;
 - (e) What warnings, if any, the operator and the other persons, whether inside or outside of the vehicle, would have that the alleged defect was present and/or whether the subject component was malfunctioning.

This letter is being sent to Lippert Components pursuant to 49 U.S.C. § 30166, which authorizes NHTSA to conduct any investigation that may be necessary to enforce Chapter 301 of Title 49 and to request reports and the production of things. It constitutes a new request for information. Lippert Components' failure to respond promptly and fully to this letter could subject Lippert Components to civil penalties pursuant to 49 U.S.C. § 30165 or lead to an action for injunctive relief pursuant to 49 U.S.C. § 30163. (Other remedies and sanctions are available as well.) Please note that maximum civil penalties under 49 U.S.C. § 30165 have increased as a result of the recent enactment of the Transportation Recall Enhancement, Accountability, and Documentation (TREAD) Act, Public Law No. 106-414 (signed November 1, 2000). Section 5(a) of the TREAD Act, codified at 49 U.S.C. § 30165(b), provides for civil penalties of up to \$6,000 per day, with a maximum of \$16,375,000 for a related series of violations, for failing or refusing to perform an act required under 49 U.S.C. § 30166. This includes failing to respond fully to ODI information requests.

If Lippert Components cannot respond to any specific request or subpart(s) thereof, please state the reason why it is unable to do so. If on the basis of attorney-client, attorney work product, or other privilege, Lippert Components does not submit one or more requested documents or items of information in response to this information request, Lippert Components must provide a privilege log identifying each document or item withheld, and stating the date, subject or title, the name and

position of the person(s) from, and the person(s) to whom it was sent, and the name and position of any other recipient (to include all carbon copies or blind carbon copies), the nature of that information or material, and the basis for the claim of privilege and why that privilege applies.

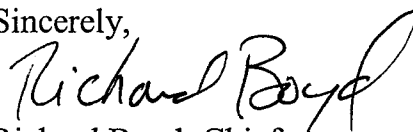
Lippert Components' response to this letter, in duplicate, together with a copy of any confidentiality request, must be submitted to this office **October 31, 2006**.

Please refer to PE06-036 in Lippert Components' response to this letter. If Lippert Components finds that it is unable to provide all of the information requested within the time allotted, Lippert Components must request an extension from me at (202) 366-4933 no later than five business days before the response due date. If Lippert Components is unable to provide all of the information requested by the original deadline, it must submit a partial response by the original deadline with whatever information Lippert Components then has available, even if an extension has been granted.

If Lippert Components claims that any of the information or documents provided in response to this information request constitute confidential commercial material within the meaning of 5 U.S.C. § 552(b)(4), or are protected from disclosure pursuant to 18 U.S.C. § 1905, Lippert Components must submit supporting information together with the materials that are the subject of the confidentiality request, in accordance with 49 CFR Part 512, to the Office of Chief Counsel, National Highway Traffic Safety Administration, Room 5219, 400 Seventh Street, S.W., Washington, D.C. 20590. Lippert Components is required to submit two copies of the documents containing allegedly confidential information (accept only one copy of blueprints) and one copy of the documents from which information claimed to be confidential has been deleted.

If you have any technical questions concerning this matter, please call Mr. Tom Bowman of my staff at (202) 366-2583.

Sincerely,



Richard Boyd, Chief
Medium and Heavy Duty Vehicle Division
Office of Defects Investigation